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Commissioner

IN THE MATTER OF THE APPLICATION
OF H2O, INC., FOR AN EXTENSION OF
ITS EXISTING CERTIFICATE OF
CONVENIENCE AND NECESSITY

Docket No: W-02234A-00-0371

IN THE MATTER OF THE APPLICATION
OF JOHNSON UTILITIES, L.L.C., DBA
JOHNSON UTILITIES COMPANY FOR AN
EXTENSION FOR ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY
TO PROVIDE WATER AND WASTEWATER
SERVICE TO THE PUBLIC IN THE
DESCRIBED AREA IN PINAL COUNTY,
ARIZONA

Docket No: WS-02987A-99-0583

IN THE MATTER OF THE APPLICATION
OF JOHNSON UTILITIES, L.L.C., DBA
JOHNSON UTILITIES COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY TO
PROVIDE WATER AND WASTEWATER
SERVICE TO THE PUBLIC IN THE
DESCRIBED AREA IN PINAL COUNTY,
ARIZONA

Docket No: WS-02987A-00-0618

IN THE MATTER OF THE APPLICATION
OF DIVERSIFIED WATER UTILITIES,
INC. TO EXTEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY

Docket No: W-02859A-00-0074

IN THE MATTER OF THE APPLICATION
OF QUEEN CREEK WATER COMPANY
TO EXTEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY

Docket No: W-01395A-00-0784

OBJECTION TO APPLICATION TO INTERVENE

Johnson Utilities L.L.C. ("Johnson Utilities") objects to Sweetwater Creek Utilities, Inc.'s ("Sweetwater") application to intervene. Sweetwater, an Arizona public service corporation, provides wastewater services only in the vicinity of Yuma, with no plant, facility, or other property within 200 miles of the area involved in this proceeding. Nevertheless, Sweetwater claims that it intends to file an application for a Certificate of Convenience and Necessity to provide wastewater in certain of this proceeding's contested areas. To Johnson Utilities' knowledge, Sweetwater has not filed a certificate application. As a consequence, Sweetwater has failed to demonstrate that it will be directly and substantially affected by the proceedings, the standard to secure an intervention order under A.A.C. R14-3-105(a).

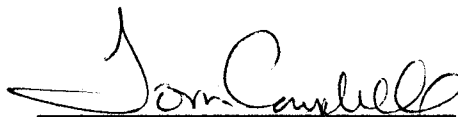
In addition, Sweetwater's intervention application should be denied because it will unduly broaden and delay this proceeding. Johnson Utilities' filed its original application in October, 1999, and amended its application several times with a final amendment in July, 2000. The hearing on Johnson Utilities' application had been set for October 19, 2000. In early October, two additional water companies intervened and filed competing applications, leading to the postponement of the hearing. Now, Sweetwater, without contemporaneously filing a certificate application, seeks to intervene and broaden the proceedings to include its own competing application to provide wastewater service to a portion of the area sought by Johnson Utilities. The addition of another late-filed

1 application will have no other effect than to unduly broaden this proceeding, all to the
2 prejudice of the company whose application has been pending for months. To allow
3 Sweetwater to intervene would thus be contrary to the standards for intervention provided
4 in A.A.C. R14-3-105(B).
5

6 For these reasons, Johnson Utilities respectfully requests that Sweetwater's
7 Application to Intervene be denied.

8 RESPECTFULLY SUBMITTED this 22nd day of December, 2000.
9

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20 ORIGINAL and ten (10) copies
21 of the foregoing filed this 22nd day
22 of December, 2000, with:

23 The Arizona Corporation Commission
24 Docket Control – Utilities Division
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3 2000, to:

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